6: Gayton E-5 (1925-1928) 1930
NS29 Yokuts NS29

relatively speaking. And the political institutions of Yokuts and Western Mono were perhaps as simple as any in California. Clans were lacking. The moiety, where it existed, regulated marriage and ceremonial participation. Patrilineal families dwelt together in permanent villages but owned no land other than an ill-defined tribal area. The household group was not large; normally its personnel included a married couple, their immature offspring, and a possible orphaned sister of either spouse, or an aged relative. A husband and father was head of his own household affairs but bowed to the opinion of elder male relatives when the entire lineage was involved. These families were entirely free to go about their daily pursuits of hunting, fishing, seed gathering, basket, pottery, and tool making, seeking of supernatural experience, gambling, or idling, without interference from officials. There were none to interfere. The sense of right and wrong, of duty to one's relatives and neighbors, was instilled in children as they grew up. Truthfulness, industry, a modest opinion of oneself, and above all, generosity, were regarded not so much as positive virtues as essential qualities. Informants today condemn those who are greedy, jealous, or egotistical. It was largely upon the personal character of individuals that the peace of a community depended.

Legal authority over the people at large was wielded by chiefs and their henchmen, the winatums. The chief's power was expressed as a general jurisdiction having a paternal-judiciary aspect. He made decisions on village or tribal affairs such as holding fandangos, or building a new sweat-house, he settled interfamily disputes, and granted permission for death punishments. His judgment operated in place of fixed laws. The winatums were the coordinating element in the interrelationship of the people and their chiefs: they were the universal joint in the social machinery. Their official activities were many, as executing orders from the chief, making announcements, carrying private and public messages between individuals and tribes, directing camp organization, and managing all phases of ceremonial activity. The presence or absence of the minor officials, subchiefs, and dance managers, made little difference in the powers of chiefs or the freedom of citizens. In other words, the chiefs, with their winatums as manipulating instruments, constituted the sole legal authority in the political system of south central California.

We have spoken of the complete lack of formulated law in Yokuts and Western Mono society. This is scarcely overstating the case, for

6: Gayton E-5 (1925-1928) 1930
NS29 Yokuts NS29

671 ●

the life-for-a-life rule was the nearest approach to a definite law, and this was applied only when the opinion of chiefs and elders saw its justification. By what means, then, were peace and public satisfaction maintained? Largely by means of an influence which had no legal basis, the fear of sorcery. This factor in civil life worked for public good; it was an awe-inspiring force itself, and served as a tool for chiefs when used by them through their shamans. The fear of sorcery operated between any one individual and another. If, as we have said, the peace of a community depended largely upon the personal character of each person, the personal character in turn was determined or molded by belief in supernatural powers which could be turned against one. A man dared not cheat another at gambling or trading, commit adultery, or neglect any civil or ceremonial duty toward his neighbor, lest the offended person visit sickness or death upon him or some member of his family, either by his own power or that of a shaman hired for the purpose. On the other hand, a man could not take offense for no reason, and retaliate by this means unless completely justified, for the matter would eventually be aired before the chief. Thus sorcery as a deterrent of crime kept a balance of peace in everyday life.

671 626 754

This seems to leave shamans holding the whip hand. One tends to envisage the life of Yokuts and Western Mono as shadowed by the constant threat of witchcraft. It was; but this does not mean that an individual lived in a perpetual state of anxiety and dread. The idea of malevolent sorcery was a commonplace in their lives: one took care not to bring its force down upon oneself. But their attitude to it may be likened to our own to, say, bacteria, automobiles, or gas, dangers to which we are so accustomed that they are given little conscious thought though they unquestionably modify our behavior. And shamanism in native life was no less a necessity than these useful hazards of our own civilization. A doctor might be able to kill one, but at the same time he had the ability to cure sicknesses brought about by other agents such as Night, Springs, ghosts, or other supernatural creatures. It was hard to give up money, baskets, or a prized possession to him, but it was harder still to be sick unto death. And the majority of doctors were not malicious. It is only of bad shamans that informants tell their tragic tales, and these men were of course blamed for many misfortunes for which they were not responsible. A good shaman who found that his patient was not recovering would frankly say he had not the power, and suggest that another be called.

181 754

181 756

6: Gayton E-5 (1925-1928) 1930
NS29 Yokuts NS29

182 756 ceptions of shamanism and the supernatural. There could be no doubt as to the shaman's experiences, since every one had them in milder or less frequent forms. The mysteries of shamanistic tricks may have been doubted by a skeptic or two, but the public shamans' contest was ocular evidence of their powers to kill and to revive. By such demonstrations was popular belief maintained and fortified.

182 626 671 262 The lack of codified law was related, I think, to two different factors, an easy subsistence and generosity as an ideal. These two factors themselves may have been mutually interactive. Before white intrusion, game, acorns, seeds, and tule root formed an abundant food supply in the San Joaquin valley; there are no famine tales from this area. It would seem that this condition may account for the lack of definite property areas. There was no need to set up a boundary if there were nothing of special value to protect. If a food shortage had occurred, or an unexpected invasion taken place, competition for acorn, seed, or game areas would have stimulated or necessitated property ownership. Besides the lack of property laws, the custom of giving food to visitors, of returning value for value if a present were received, reduced the chances for theft, against which a formal law might have been established. Viewed from another angle these cultural habits may be regarded as laws; they were such in effect, but were not verbally formulated. From the point of view of their own culture the giving of food at any time, the giving of gifts, and especially the casting away of both at the annual mourning ceremony, were customs of courtesy expressing the ideal of generosity. Equality of rank among the people at large, that is, the absence of a class system, expressed the nullity of codified social law.

[574] [431] [431] [566]

182 773 829 The lack of clearly defined concepts in Yokuts-Western Mono life may itself be regarded as a cultural form, an expression of thought habits. There existed a coherent system of thought which appeared in their mythology, their social system, and their ceremonial life. But the system was not ramified by specific ideas; thus, Eagle created the world and flew off, but whether he flew north, south, east, or west is of no moment to the Yokuts mind. He went above say some, or possibly to the east, another says to the west. That Eagle and all his former companions still exist is attested by the dream experiences of dozens of individuals; it doesn't matter where they are. The same laxity of thought prevails in the legal system: a chief makes a decision in a quarrel, but his next decision may or may not follow the precedent set in the former case. The respected elders of a village exercise

[787] 182 829